

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 22, 2017 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Carlie Boland (D)
Sen. Jen Gross (D)
Sen. Steve Hinebaugh (R)
Sen. Jedediah Hinkle (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Scott Sales (R)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)
Sen. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 348, 3/10/2017; HB 494, 3/10/2017

Executive Action: HB 306, Be Concurred In
HB 280, Be Concurred In
HB 303, Be Tabled

00:00:42 Chair Regier

HEARING ON HB 348

Opening Statement by Sponsor:

00:01:43 Rep. Peggy Webb (R), HD 43, opened the hearing on HB 348, Generally revise tenant landlord laws.

Proponents' Testimony:

00:04:31 John Sinrud, Montana Landlords Association (MLA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:42 Sen. MacDonald
00:09:35 Rep. Webb
00:09:49 Mr. Sinrud, MLA
00:10:46 Sen. MacDonald
00:14:49 Mr. Sinrud
00:15:27 Sen. Vincent
00:15:51 Mr. Sinrud
00:16:27 Sen. MacDonald
00:17:28 Mr. Sinrud
00:17:59 Sen. MacDonald
00:18:07 Chair Regier
00:18:13 Julianne Burkhardt, Legislative Services Division (LSD)
00:18:29 Chair Regier
00:18:32 Ms. Burkhardt, LSD
00:18:38 Sen. Sands
00:20:14 Mr. Sinrud
00:20:46 Sen. Sands
00:21:29 Sen. Hinkle
00:22:16 Mr. Sinrud

Closing by Sponsor:

00:23:16 Rep. Webb

00:25:21 Chair Regier

HEARING ON HB 494

Opening Statement by Sponsor:

00:26:11 Rep. Seth Berglee (R), HD 58, opened the hearing on HB 494, Generally revise criminal laws.

Proponents' Testimony:

00:26:48 Gary Marbut, Montana Shooting Sports Association (MSSA)

00:31:14 Brian Judy, Montana state liaison, National Rifle Association

00:34:57 Lloyd Phillips, Outdoor Network International and Honored American Veterans Afield

00:35:59 Randy Stemple, Missoula, representing Western Montana Fish and Game Association (WMFGA)

00:36:40 Laramie Wolverton, Arlee

Opponents' Testimony:

00:39:33 Jean Larson, Missoula

00:43:27 Marlene Simms, Mom's Demand Action

00:51:41 Kiely Lammers, self

00:54:53 Judith Heilman, Bozeman

[EXHIBIT\(jus59a01\)](#)

00:56:14 Sen. Gross entered the hearing.

00:57:12 John Ilgenfritz, self

Informational Testimony: None

Questions from Committee Members and Responses:

00:58:30 Sen. Fielder

00:59:00 Mr. Marbut, MSSA

00:59:31 Sen. Fielder

01:00:21 Ms. Larson, self

01:00:30 Sen. MacDonald

01:04:07 Mr. Marbut

01:04:32 Sen. MacDonald

01:04:47 Sen. Sands

01:08:12 Rep. Berglee

01:08:18 Sen. Sands

01:09:34 Mr. Marbut

01:09:54 Sen. Sands

01:10:10 Sen. Hinkle

01:10:47 Mr. Marbut

01:10:52 Sen. Fielder

01:11:03 Sen. Hinkle

01:12:34 Ms. Larson
 01:12:54 Sen. Fielder
 01:13:40 Mr. Stemple, WMFGA
 01:13:49 Sen. Fielder
 01:14:33 Amy Stemple, self
 01:14:40 Sen. Fielder
 01:14:51 Mr. Stemple, self
 01:15:53 Sen. MacDonald
 01:16:35 Ms. Larson
 01:16:41 Sen. Sands
 01:17:04 Ms. Larson
 01:17:16 Chair Regier
 01:17:47 Ms. Larson

Closing by Sponsor:

01:17:57 Rep. Berglee
 01:23:10 Chair Regier
 01:23:43 Recess
 01:38:50 Reconvene
 01:39:07 Chair Regier
 01:39:08 President Sales entered the hearing.

EXECUTIVE ACTION ON HB 306

01:39:13 **Motion:** Sen. Fielder moved that **HB 306 BE CONCURRED IN.**

Discussion:

01:39:31 Sen. Fielder
 01:40:43 Sen. Sands
 01:41:28 Sen. Fielder
 01:42:30 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Gross, Sen. MacDonald and Sen. Sands voting no. Sen. Fielder will carry the bill.

EXECUTIVE ACTION ON HB 303

01:43:02 **Motion:** Sen. Fielder moved that **HB 303 BE CONCURRED IN.**

Discussion:

01:43:11 Julianne Burkhardt, Legislative Services Division (LSD)
 01:43:37 **Motion:** Sen. Sands moved that **HB 303 BE AMENDED.**
[**EXHIBIT\(jus59a02\)**](#)

Discussion:

01:45:08 Sen. Sands
01:46:20 Sen. MacDonald

01:46:48 **Substitute Motion:** Sen. Sands made a substitute motion **TO SEGREGATE SECTION 1 FROM AMENDMENT HB030301.AJB.**

Discussion:

01:47:18 Ms. Burkhardt, LSD
01:47:58 Sen. Sands
01:48:09 Sen. Fielder
01:48:27 Chair Regier

01:48:37 **Vote:** Motion carried by unanimously by voice vote.

01:48:53 **Motion:** Sen. Fielder moved to **SEGREGATE SECTION 2 FROM AMENDMENT HB030301.AJB.**

Discussion:

01:49:26 Chair Regier
01:49:30 Sen. Fielder
01:49:38 Chair Regier
01:49:46 Sen. Sands
01:50:21 Sen. MacDonald
01:50:50 Sen. Fielder
01:51:48 Sen. MacDonald
01:51:53 Sen. Gross
01:52:55 Sen. Fielder
01:53:09 Sen. Gross
01:53:17 Sen. Sands
01:54:59 Sen. Hinkle
01:55:45 Chair Regier
01:55:51 Sen. Gross

01:56:31 **Vote:** Motion carried 8-3 by voice vote with Sen. Boland, Sen. Gross and Sen. Sands voting no.

01:57:30 Chair Regier
01:57:32 Sen. Swandal left the hearing.

01:57:38 **Motion/Vote:** Sen. Regier moved to **AMEND HB 303 WITH SECTIONS 3, 4, 5, AND 6 OF AMENDMENT HB030301.AJB** The motion carried unanimously by voice vote. Sen. Swandal voted by proxy.

01:58:04 **Motion:** Sen. Fielder moved that **HB 303 BE CONCURRED IN AS AMENDED.**

Discussion:

01:58:49 Chair Regier
 01:58:53 Sen. Hinebauch
 01:59:38 Sen. MacDonald
 02:02:25 Sen. Gross
 02:03:05 Chair Regier
 02:03:12 Sen. Sands
 02:03:37 Sen. Boland
 02:04:25 Sen. Fielder
 02:06:31 Sen. Sands
 02:07:36 Sen. Fielder

02:07:51 **Vote:** Motion failed 5-6 by roll call vote with Sen. Boland, Sen. Gross, Sen. MacDonald, Sen. Sands and Sen. Swandal voting aye. Sen. Swandal voted by proxy.

02:09:02 **Motion/Vote:** Sen. Fielder moved that **HB 303 BE TABLED AND THE VOTE REVERSED**. Motion carried 10-1 by voice vote with Sen. Sands voting no. Sen. Swandal voted by proxy.

EXECUTIVE ACTION ON HB 280

02:09:32 **Motion:** Sen. Fielder moved that **HB 280 BE CONCURRED IN**.

Discussion:

02:09:45 Chair Regier
 02:09:57 President Sales
 02:12:04 Sen. Boland
 02:13:11 Sen. Hinkle
 02:13:45 Sen. Gross
 02:14:49 Sen. Vincent
 02:15:39 Sen. Fielder
 02:17:57 Sen. Sands
 02:19:05 Chair Regier
 02:19:12 Sen. Gross
 02:19:46 Chair Regier
 02:19:52 Sen. Fielder
 02:20:03 Sen. Gross
 02:20:11 Sen. Sands
 02:20:48 President Sales
 02:21:48 Sen. Sands
 02:21:57 Sen. MacDonald

02:22:45 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Gross, Sen. MacDonald and Sen. Sands voting no. Sen. Swandal voted by proxy. Sen. Sales will carry the bill.

ADJOURNMENT

Adjournment: 11:30 PM

Charlene Devine, Secretary

Additional Documents

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Additional Documents:

EXHIBIT([jus59aad.pdf](#))